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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,490	02/22/2002	Warren E. Cory	X-1054 US	3728
24309	7590	06/13/2005	EXAMINER	
XILINX, INC ATTN: LEGAL DEPARTMENT 2100 LOGIC DR SAN JOSE, CA 95124			AGHDAM, FRESHTEH N	
			ART UNIT	PAPER NUMBER
			2631	

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/082,490

Applicant(s)

CORY, WARREN E.

Examiner

Freshteh N. Aghdam

Art Unit

2631

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Drawings***

The drawings are objected to under 37 CFR 1.83(a) because they fail to show the expression "prior art" next to the figure number as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 6 is objected to because of the following informalities:

As to claim 6, the dependency of the claim should change from claim 4 to claim 5 at page 11, line 1.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Peratoner (US 6,570,492).

As to claim 1, Peratoner teaches a digital system comprising a master transceiver (Fig. 1, means 37) that perform channel bonding operation; a plurality of first level slave transceivers that perform channel bonding operation (Fig. 1, means 41-45) wherein each first level slave transceivers controlled by the master transceiver (means 37); and a plurality of second level transceivers (Fig. 1, means 51-55) that perform channel bonding operation wherein the second level slave transceivers are controlled by the first level transceivers (Fig. 1; Col. 4, Lines 34-47).

Art Unit: 2631

As to claim 2, Peratoner teaches each of the plurality of transceivers could be selected as either the master transceiver, one of the first level transceivers or one of the second level transceivers (Fig. 1, Col. 4, Lines 34-47).

As to claim 3, Peratoner teaches a clock signal (Fig. 5; Col. 8, Lines 34-40) and wherein the master transceiver and the plurality of first level transceivers generate respective control signals at different cycles of the clock signal (Col. 4, Lines 62-64; Col. 5, Lines 1-6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peratoner, and further in view of the admitted prior art.

As to claim 4, Peratoenr teaches all the subject matters claimed above, except for the plurality of transceivers containing at least one buffer for the channel bonding operations. The admitted prior art teaches a plurality of transceivers containing at least one buffer for the channel bonding operation (Pg. 1, Par. 3 and 4). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teaching of the admitted prior art with Peratoner in order to perform the desired operation.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 5 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Measor (US 2001/0007577).

As to claim 5, Measor teaches an apparatus comprising a first flip flop that accepts a first input signal and generate an output signal; a first multiplexer having an output terminal and at least a first and a second input terminal, the first input terminal accepting the output signal of the first flip flop and the second input terminal being connected to a second input signal; a second flip flop having an output terminal and an input terminal that connects with the output terminal of the first multiplexer; a second multiplexer having an output terminal and at least a first and a second input terminal, the first input terminal being connected to the output terminal of the second flip flop and the second input terminal being connected to the second input signal; and a third flip flop having an output terminal and an input terminal, the input terminal being connected to the output terminal of the second multiplexer; and a third flip flop having an output terminal and an input terminal of the second multiplexer (FIG. 1).

As to claim 6, Measor teaches a third multiplexer having an output terminal and at least a first and a second input terminal, the first input terminal being connected to the first input signal, the second input terminal being connected to the second input signal; and a fourth flip flop having an output terminal and an input terminal, the input terminal being connected to the output terminal of the third multiplexer (Fig. 1).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lippett, and further in view of Measor.

As to claim 7, Lippett teaches a first device having a plurality of transceivers; a second device having a plurality of transceivers (Fig. 16A; Col. 2, Lines 1-28). Lippett is silent about each of the transceivers comprising a buffer, a first flip-flop that accepts a first input signal and generates an output signal; a first multiplexer having an output terminal and at least a first and a second input terminal, the first input terminal accepting the output signal of the first flip flop and the second input terminal being connected to a second input signal; a second flip flop having an output terminal and an input terminal that connects with the output terminal of the first multiplexer; a second multiplexer having an output terminal and at least a first and a second input terminal, the first input

Art Unit: 2631

terminal being connected to the output terminal of the second flip flop and the second input terminal being connected to the second input signal; and a third flip flop having an output terminal and an input terminal, the input terminal being connected to the output terminal of the second multiplexer; and a third flip flop having an output terminal to control the buffer and an input terminal of the second multiplexer. Measor teaches a first buffer (i.e. the buffer proceeding the first flip-flop in Fig.1); a first flip-flop that accepts a first input signal and generates an output signal; a first multiplexer having an output terminal and at least a first and a second input terminal, the first input terminal accepting the output signal of the first flip flop and the second input terminal being connected to a second input signal; a second flip flop having an output terminal and an input terminal that connects with the output terminal of the first multiplexer; a second multiplexer having an output terminal and at least a first and a second input terminal, the first input terminal being connected to the output terminal of the second flip flop and the second input terminal being connected to the second input signal; and a third flip flop having an output terminal and an input terminal, the input terminal being connected to the output terminal of the second multiplexer; and a third flip flop having an output terminal and an input terminal of the second multiplexer see (Fig. 1). One of ordinary skill in the art would clearly recognize that it is well known in the art to control a buffer by the signal outputted from a flip-flop as recited in the cited pertinent reference (US 5,784,003).

As to claim 8, Measor teaches a third multiplexer having an output terminal and at least a first and a second input terminal, the first input terminal being connected to the first input signal, the second input terminal being connected to the second input

Art Unit: 2631

signal; and a fourth flip flop having an output terminal and an input terminal, the input terminal being connected to the output terminal of the third multiplexer see (Fig. 1).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dahlgren (US 5,784,003), Mulleret al (US 6,639,905), Emberling et al (US 2003/0169261), Elabd (US 6,526,462), Georges et al (US 2002/0126789), and Vorekamp et al (US 5,999,026).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freshteh N. Aghdam whose telephone number is (571) 272-6037. The examiner can normally be reached on Monday through Friday 9:00-5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mohammad Ghayour can be reached on (571) 272-3021. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2631

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Freshteh Aghdam

June 6, 2005


MOHAMMED GHAYOUR
SUPERVISORY PATENT EXAMINER